

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RE: Patent Application for : Dated: April 19, 2001  
R. Heiberger : Group: 3752  
Serial No.: 09/237,687 : Examiner: C. Kim  
Filed: January 26, 1999 : Action: **NOTICE OF APPEAL**  
For: **A FLUID CONTAINER** :  
**CLOSURE MECHANISM** :  
**WITH DETACHABLE** :  
**VALVE ASSEMBLY** :

To: The Assistant Commissioner for Patents and Trademarks  
Washington, DC 20231

Sir:



Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed January 11, 2001 finally rejecting claims 1-5, 7, 9, 33 and 34. Claim 35 has been allowed. Claims 6 and 8 have been cancelled and claims 10-32 have been withdrawn.

1. **STATUS OF APPLICANT**

This application is on behalf of

- ☐ other than a small entity  
☒ small entity

Verified Statement

- ☐ attached  
☒ already filed on January 26, 1999

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. §1.17(e), the fee for filing the Notice of Appeal is:

- ☒ small entity \$ 155.00  
☐ other than a small entity \$ 310.00

Notice of Appeal Fee Due \$ 155.00

### 3. EXTENSION OF TIME

- (a) ☐ Extension requested (check below the total number of months of extension requested):

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 390.00	\$ 190.00
<input type="checkbox"/> three months	\$ 890.00	\$ 435.00
<input type="checkbox"/> four months	\$1390.00	\$ 695.00
<input type="checkbox"/> five months	\$1890.00	\$ 945.00

Fee: \$ 00.00

(check and complete the next item, if applicable)

- ☒ An extension for one (1) month has already been secured and the fee paid therefor of \$55.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 00.00

Or

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### 4. TOTAL FEE DUE

The total fee due is:

- ☒ Notice of Appeal Fee \$ 155.00
- ☐ Extension Fee (if any) \$ 00.00

Total Fee Due: \$155.00

### 5. FEE PAYMENT

- ☒ Attached is check no. 16650 in the amount of \$155.00 for the appeal fee.

- ☐ Charge Account No. 13-1940 the amount of \$\_\_\_\_\_. A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

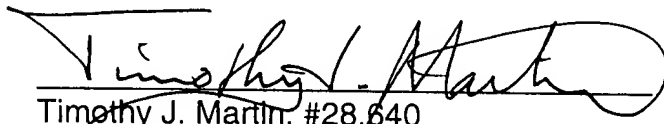
If any additional extension fee or any other fee is required, please charge Deposit Account No. 13-1940.

**AND/OR**

If any additional fee for claims is required, charge Deposit Account No. 13-1940.

Respectfully submitted,

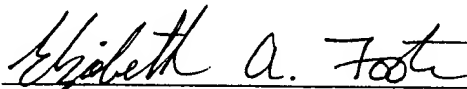
**TIMOTHY J. MARTIN, P.C.**



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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that the foregoing **NOTICE OF APPEAL INCLUDING CHECK NO. 16650 IN THE AMOUNT OF \$155.00** is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to The Assistant Commissioner of Patents and Trademarks, Washington, DC 20231 on this 20<sup>th</sup> day of April, 2001.



Elizabeth A. Foote

6-20-01  
6-19-01  
6-13-01  
6-6-01  
5-20-01